

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: : CASE NO. 1-05-09452-HWV
CECILIA L. LLOYD A/K/A :
CECILLA L. PRIEST A/K/A :
CECELLA L. BARCELLONA :
: DEBTOR : CHAPTER 7

MOTION TO APPROVE SETTLEMENT

NOW COMES Leon P. Haller, Trustee in the above case who represents as follows:

1. Leon P. Haller is the duly acting and qualified Trustee in the above case.
2. Debtor on her bankruptcy petition listed properties at:
 - (a) 6481 Huntingdon Street, Harrisburg, Pennsylvania; and
 - (b) 6740 Clearfield Street, Harrisburg, Pennsylvania.
3. Each of these properties was undervalued and the Trustee had objected to the exemptions.
4. Following the decision of the United States Supreme Court in the case of *Schwab v. Reiley*, the Trustee made demands upon the debtor to pay the Trustee the excess value because Debtor's exemption claim did not cover the value of the properties.
5. Many demands were made upon the Debtor, who was uncooperative and had several lawyers over the years.
6. Trustee had filed an Adversary action for the turnover of the Clearfield property.
An order was entered February 9, 2018.
7. Trustee learned that Debtor died November 30th, 2017 and an Executrix, Esther P. Lee was appointed.

8. Debtor, in her Will, devised the two properties to her granddaughters Ashley M. Barcellona and Gabrielle Barcellona.
9. On February 25th, 2020, Trustee took the deposition of the Executrix and the two granddaughters and explained the history to them in hopes of resolving the case.
10. Ashley Barcellona lives at the Clearfield Street property with her three children and has limited funds.
11. The Trustee has determined that it would not be fair to attempt to evict the granddaughter from the premises because of the substantial equity in the property.
12. The Trustee has agreed to accept the sum of \$12,000.00, payable over sixty-eight (68) months, with a monthly payment of \$197.52. The granddaughters as owners would sign a Note and Mortgage. The Note would bear a four (4) percent interest rate. Trustee intends to sell the loan in order to obtain funds to close the estate.
13. The Trustee believes the settlement is fair to all parties.

WHEREFORE, Trustee requests that the settlement be approved.

By: /s/Leon P. Haller
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Dated: August 14, 2020